

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

JILL SULLIVAN,) **COMPLAINT;**
Plaintiff,) FAIR DEBT COLLECTION PRACTICES
vs.) ACT (15 U.S.C. § 1692a, *et seq.*);
FINANCIAL CREDIT SERVICE, INC.,) DEMAND FOR JURY TRIAL
dba ASSET RECOVERY ASSOCIATES,)
Defendant.)

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA").

II. JURISDICTION

2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d), and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.

III. PARTIES

3. Plaintiff, Jill Sullivan (“Plaintiff”), is a natural person residing in King County, Washington.

COMPLAINT
Case No.

Trigsted Law Group, P.C.
5200 SW Meadows Rd, Ste 150
Lake Oswego, OR 97035
(888)595-9111x216

4. Defendant, Financial Credit Service, Inc., dba Asset Recovery Associates ("Defendant"), is a corporation engaged in the business of collecting debts by use of the mails and telephone. Defendant regularly attempts to collect debts alleged due another.

IV. FACTUAL ALLEGATIONS

5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

6. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

7. All activities of Defendant set out herein were undertaken in connection with the collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).

8. Within the last year, Defendant took multiple actions in an attempt to collect a debt from Plaintiff. Defendant's conduct violated the FDCPA in multiple ways, including the following.

9. Threatening to take an action or actions that cannot be legally taken or that Defendant did not intend to take, including threatening to place a lien on Plaintiff's property and file suit against Plaintiff, where Defendant had no intention of doing either (§ 1692e(5)).

10. As a result of the aforementioned violations, Plaintiff suffered and continues to suffer injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

11. Defendant intended to cause, by means of the actions detailed above, injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

12. Defendant's actions, detailed above, were undertaken with extraordinary disregard of, or indifference to, known or highly probable risks to purported debtors.

13. To the extent Defendant's actions, detailed in paragraphs above, were carried out by an employee of Defendant, that employee was acting within the scope of his or her employment.

COMPLAINT
Case No.

Trigsted Law Group, P.C.
5200 SW Meadows Rd, Ste 150
Lake Oswego, OR 97035
(888)595-9111x216

1 **COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

2 14. Plaintiff reincorporates by reference all of the preceding paragraphs.

3 15. The preceding paragraphs state a *prima facie* case for Plaintiff and against
4 Defendant for violations of the FDCPA.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant
7 for the following:

8 A. Declaratory judgment that Defendant's conduct violated the FDCPA;

9 B. Actual damages pursuant to 15 U.S.C. 1692k;

10 C. Statutory damages pursuant to 15 U.S.C. § 1692k;

11 D. Costs, disbursements and reasonable attorney's fees for all successful claims, and
12 any unsuccessful claims arising out of the same transaction or occurrence as the successful claims,
13 pursuant to 15 U.S.C. § 1692k; and,

14 E. For such other and further relief as may be just and proper.

15 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

16 Dated this 19th day of May, 2017.

17 By: s/Joshua Trigsted
18 Joshua Trigsted, WSBA#42917
19 Attorney for Plaintiff

20 COMPLAINT
21 Case No.

22 Trigsted Law Group, P.C.
23 5200 SW Meadows Rd, Ste 150
24 Lake Oswego, OR 97035
25 (888)595-9111x216